

Article - Environment

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§14–502.

(a) Maryland's coastal area, which borders the Atlantic Ocean and the Chesapeake Bay, is rich in a variety of natural, commercial, recreational, industrial, and esthetic resources. These resources possess great immediate as well as potential value for the State and the nation as a whole. However, the coastal area and the fish, shellfish, and other living marine resources and wildlife contained therein are ecologically fragile. They constitute a unique, irreplaceable, natural, and esthetic resource of great economic value.

(b) Extraction of mineral resources and fossil fuels from the Baltimore Canyon Trough and elsewhere may create immediate, increasing, and competing demands upon the lands and waters of the State's coastal area. The interests of the State and the nation require a method of resolving these competing demands which will give a high priority to the natural systems of the coastal zone and promote the public health, safety and welfare.

(c) Certain facilities associated with extraction and refining of mineral and fossil fuel resources may adversely affect the State's interest if they are located in the coastal area without an adequate planning of their impact and without sufficient safeguards. The State, therefore, requires a system of assessing the economic, fiscal, social, cultural, and environmental impacts associated with the establishment of such facilities, as a lack of proper assessment may cause irreparable damage to the integrity of the coastal area if these facilities are established in the coastal area.

(d) Meeting the energy requirements of the State and nation and planning for the proper use or development of the coastal area is imperative. To that end the State is developing a coastal zone management plan, pursuant to the federal Coastal Zone Management Act of 1972, which will recommend permissible land and water uses within the coastal zone and which must provide for adequate consideration of the national interest in the siting of facilities necessary to meet requirements which are other than local in nature, and which must further provide for a method of assuring that local land and water use regulations within the coastal zone do not unreasonably restrict or exclude land and water uses of regional benefit. It is in the State's interest that all parties including all units of State government, county government, the federal government, business, industry, and the public at large participate in planning the uses for Maryland's coastal area. The completion of the plans will enable Maryland to properly use, develop, and protect the coastal area.

(e) Without adequate planning, the establishment of certain oil-related facilities in the coastal area may have an immediate impact on the environmental, economic, fiscal, social and cultural well-being of the people residing in the area where these facilities are established. Therefore, local concern should be reflected in making decisions as to location of these facilities and to that end, county governments should be actively involved in the planning for the coastal areas. If, however, the extent of oil-related facilities contemplated affects environmental, economic, social, and cultural factors beyond the borders of the particular subdivision involved, in addition to involving potential expenditure of State funds in excess of tax revenues derived from the facilities, then the State interest and the national interest become a factor in the consideration of where these oil-related facilities shall be located.

(f) The national public interest in assuring adequate facilities for the production of energy resources requires that the State and local governments promptly and expeditiously assess the impact of these facilities and determine, at the earliest practicable time, whether to grant necessary State and local authorizations.

(g) The foregoing subsections constitute the findings and intent of the General Assembly in enacting provisions for comprehensive State review prior to permitting the establishment of certain facilities within Maryland's coastal area, and to that end this subtitle may be cited as the "Coastal Facilities Review Act".

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